

Message Text

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44

ACTION ORM-03

INFO OCT-01 ARA-10 ISO-00 EUR-06 SR-02 VOE-00 SCA-01 SSO-00

INSE-00 L-03 NSCE-00 INR-10 CIAE-00 NSAE-00 DODE-00

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P 242240Z JAN 74 ZDK

FM AMCONSUL MATAMOROS

TO SECSTATE WASHDC PRIORITY 49

INFO AMEMBASSY MEXICO PRIORITY

UNCLAS MATAMOROS 0001

E.O. 11652: N/A

TAGS: CGEN

SUBJECT: CGEN: BORTELY, JANOS

FOR SCA AND ORM

1. SUBJECT IS HUNGARIAN NATIONAL BORN MARCH 21, 1942 EGER HUNGARY WHO ENTERED AUSTRIA LATE 1972 (CIRCUMSTANCES AND DATE UNKNOWN), OBTAINED AUSTRIAN TRAVEL DOCUMENT AND U.S. K-1 VISA AMEMBASSY VIENNA ON APRIL 18, 1973 TO CONTRACT MARRIAGE TO U.S.C. BARBARA DONDO AT LOS ANGELES CALIF. STATES ENTERED U.S. AT NEW YORK APRIL 20, 1973 VIA PAN AM.

2. BORTELY WAS SUBJECT OF INVESTIGATION BY I.N.S. AUTHORITIES LOS ANGELES (FILE A-20-524-733) WHEN ALLEGEDLY REFUSED MARRIAGE TO USC AND INSTEAD PURPORTEDLY SOUGHT ASYLUM WITHIN USA. I.N.S. OFFICE BROWNSVILLE, TEXAS INFORMED CONSULATE JAN 23 SUBJECT'S AUSTRIAN TRAVEL DOCUMENT PICKED UP BY LOS ANGELES OFFICE I.N.S. SEPTEMBER 1973 AND OPINION RE ASYLUM REQUEST SOUGHT BY LETTER ADDRESSED DEPARTMENT OF STATE SEPTEMBER 11, 1973. NO RESPONSE THUS FAR TO REQUEST, ACCORDING INS.

3. BORTELY IN INTERIM ENTERED MEXICO ILLEGALLY NOVEMBER 1973, TRAVELED SOUTH AS FAR AS TENOSIQUE, CHIAPAS WHERE UNCLASSIFIED

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APPREHENDED BY MEXICAN IMMIGRATION AUTHORITIES DECEMBER

7. SUBJECT INTERNED TEMPORARILY TENOSIQUE AND MEXICO CITY AND, VIEW LACK OF DOCUMENTATION OF ANY SOVEREIGN STATE, ORDERED DEPORTED TO U.S. (COUNTRY OF LAST "RESIDENCE") IN ACCORDANCE WITH MEXICAN IMMIGRATION CODE.

4. SUBJECT TRANSPORTED TO MATAMOROS JAN. 23, 1974 WHERE MEXICAN REQUEST TO RELEASE INTO CUSTODY U.S. IMMIGRATION OFFICIALS DENIED DUE LACK OF PROPER ENTRY DOCUMENTS. MEXICAN IMMIGRATION AUTHORITIES THEN BROUGHT BORTELY AMCONSULATE SEEKING ASSISTANCE RE-ENTRY U.S., EXPLAINING PROVISIONS MEXICAN LAW. PRIVATE CONVERSATION WITH BORTELY, HOWEVER, WHO SPEAKS ONLY HUNGARIAN GAVE CONSULATE REP IMPRESSION HE DESIRES RETURN TO AUSTRIA, VOLUNTEERED NO INFORMATION ASYLUM. CONSULATE THEREFORE LOCATED LOCAL AMERICAN RESIDENT WITH FLUENCY HUNGARIAN LANGUAGE IN EFFORT CONFIRM BORTELY'S STATEMENT FORMALLY IN WRITING. IN PRESENCE INTERPRETER, MEXICAN IMMIGRATION OFFICIAL AND CONSULATE OFFICIAL JAN. 24 BORTELY REFUSED CONSIDER SIGNING SIMPLE STATEMENT IN HUNGARIAN/ENGLISH/SPANISH STATING PERSONAL WISHES, COMMENTING VERBALLY THAT HE DESIRES "SPEAK WITH AUSTRIAN CONSUL." ATMOSPHERE FRIENDLY, INFORMAL BUT SUBJECT ADAMANT IN REFUSAL CONVEY WISHES BY AFFIDAVIT.

5. GIVEN AFOREMENTIONED CIRCUMSTANCES DO NOT BELIEVE CONSULATE IN APPROPRIATE POSITION ACCEDE TO MEXICAN OFFICIAL REQUEST INASMUCH AS BORTELY CURRENTLY INELIGIBLE U.S. NIV OR WAIVER ACTION. CONSULATE HAS THEREFORE ENLISTED ASSISTANCE U.S.I.N.S./BROWNSVILLE EXPEDITE TRANSFER BORTELY'S AUSTRIAN TRAVEL DOCUMENT TO MATAMOROS FOR DELIVERY TO MEXICAN OFFICIALS, ACTION WHICH PRESUMABLY WOULD LEAD TO SUBJECT'S EVENTUAL REPATRIATION BY MEXICAN GOVERNMENT TO AUSTRIA THROUGH OFFICES AUSTRIAN EMBASSY MEXICO CITY.

6. IN VIEW PROSPECTIVE ACTION OUTLINED PARA FIVE REQUEST DEPT'S ADVICE SOONEST WHETHER (A) DECISION IN PURPORTED ASYLUM MATTER HAS SINCE BEEN ACTED UPON, AND WHICH MIGHT ALTER PRESENT CIRCUMSTANCES, (B) OTHER MITIGATING FACTORS EXIST UNKNOWN TO CONSULATE. BORTELY PRESENTLY CONFINED CITY JAIL MATAMOROS PENDING FURTHER DEVELOPMENTS.

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Decaption Note:
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Disposition Approved on Date:
Disposition Authority: n/a
Disposition Case Number: n/a
Disposition Comment:
Disposition Date: 01 JAN 1960
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
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Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Film Number: n/a
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